

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DIGITAL MEDIA SOLUTIONS, LLC,)	Case No. 1:19-cv-0145
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
v.)	MAGISTRATE JUDGE
)	THOMAS M. PARKER
SOUTH UNIVERSITY OF OHIO, LLC, <i>et al.</i>)	
)	
Defendants.)	<u>MINUTES OF PROCEEDINGS</u>
)	

Present were:

Plaintiff Digital Media	Audrey K. Bentz (by telephone)
Intervenor Students	Eleanor M.C. Hagan
Intervenor Flagler	Alexander S. Elson
Intervenor Buncher Company	Eric J. Rothschild
Intervenor Studio Enterprise Manager	James A. Newton
Intervenor Hemingway at Richmond	Jared S. Roach
Intervenor Marina Awed	Maria G. Carr
Intervenor HGF	Kirk W. Roessler
Intervenor Thomas J. Perrelli, Settlement Adm.	Marina Awed, pro se (by telephone)
Intervenor Dream Center South University	Jeffrey C. Toole
Interested Party/Movant: 3601 Sunflower	Brian Hauck (by telephone)
Students	Ingrid A. Bohme (by telephone)
Receiver Mark E. Dottore	William J. Stavole
Defendant South University of Ohio	Canon Thomas
Defendant DCEH Education	Suzanna Smith (by telephone)
	Michael Quinones (by telephone)
	present with counsel
	James W. Ehrman
	Mary K. Whitmer
	Hugh D. Berkson
	Robert T. Glickman
	Charles A. Nemer

Proceedings: On March 8, 2019, the court conducted a status conference requested by Emmanuel Dunagan, Robert J. Infusino, Jessica Muscari and Stephanie Porreca (“Student Intervenors”). ECF Doc. 64. The Student Intervenors’ school, The Illinois Institute of Art, LLC, closed prior to the filing of this lawsuit and none of the Student Intervenors had a claim for unpaid stipends. In fact, only one of them, R.J. Infusino, has a current claim to assert against the receiver – for an unpaid tuition reimbursement credit of \$5,000. Despite the minimal standing of these student intervenors, the court permitted their attorney to ask questions of the receiver and the court. Otherwise, the court instructed him to conduct discovery in the normal course of the litigation. Also addressing the court were student intervenors, Canon Thomas and Marina Awed, counsel for Hemingway of Richmond, LLC, counsel for Studio Enterprise Manager, and counsel for the receiver.

During the status conference, receiver’s counsel, Mary Whitmer, stated that, on February 20, 2019, she first learned that the Title IV money that should have been disbursed to students had had been used for payroll and operating expenses. The receiver is investigating the handling of the student stipend money. The receiver currently holds 1.5 million dollars in a designated account. It is not authorized to transfer this money without prior court authorization.

IT IS SO ORDERED.

Dated: March 12, 2019

Time: 4 hours



Thomas M. Parker
United States Magistrate Judge